

Appl No. 10/071,786
Response dated February 2, 2005
Reply to Office Action of November 2, 2004

REMARKS

This is a response to the Office Action dated November 2, 2004.

The Examiner relies upon the Francesco patent U.S. 2,597,857 in rejecting the claims. In the rejection of claims 1, 3-5 and 7-10 under 35 USC 102(b), the Examiner indicates that those claims are clearly anticipated by Francesco as more particularly pointed out at pages 3-5 of the Office Action.

With respect to claims 2 and 6, the Examiner rejects those claims under 35 USC 103(a) as unpatentable over Francesco as applied to claims 1 and 5 above. That rejection is contained at pages 5 and 6 of the Office Action.

It is requested that the Examiner withdraw the rejection under sections 102 and 103 in view of the following comments. Regarding claim 1, Francesco does not disclose an elongated body having a bore (claim element 1a) wherein a shaft extends through the bore (claim element 1b) nor locking members that each vary in thickness (claim element 1c) nor portions of claim element d, namely that the locking members extend radially beyond the outer surface of the body in the extended position and are contained within the body at the socket in the retracted position. If part number 10 in Francesco is relied upon as the elongated body, then part number 60 must be relied upon as the shaft. That being the case, the part number 10 is not externally threaded as claimed and there is no claim element 1e, a nut that is connectable to the body at the partially threaded portion. If part 60 is relied upon as the body, it does not provide a bore as claimed in element 1a nor a shaft that extends through the bore, claim element b.

The same comments with respect to claim 1 applied to claims 3, 4, 5, 7 and 10 as well as the claims that depend therefrom. Therefore, claims 11-20 are believed allowable for the same reasons that claims 1-10 are believed allowable. Some of the new claims include a restriction that the locking members are next to and spaced circumferentially around the shaft. Francesco does not suggest nor disclose that claim restriction.

Applicant respectfully submits that the application is in condition for allowance. A Notice

Appl No. 10/071,786
Response dated February 2, 2005
Reply to Office Action of November 2, 2004


of Allowance is hereby respectfully requested.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



Charles C. Garvey, Jr., Reg. No. 27,889
Gregory C. Smith, Reg. No. 29,441
Seth M. Nehrbass, Reg. No. 31,281
Stephen R. Doody, Reg. No. 29,062
Brett A. North, Reg. No. 42,040
GARVEY, SMITH, NEHRBASS & DOODY, L.L.C.
PTO Customer No. 22920
3838 N. Causeway Blvd., Suite 3290
Metairie, LA 70002
Tel.: (504) 835-2000
Fax: 504-835-2070
e-mail: IPLNO@AOL.COM
www.neworleanspatents.com

Appl No. 10/071,786
Response dated February 2, 2005
Reply to Office Action of November 2, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 , on this 2 day of February, 2005.

Charles Gurney

P:\Chuck\RESPONSES\98618.1-RES3.wpd